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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,235	02/19/2004	Timothy M. Lom	03-0006-04	5238
36389	7590 12/08/2005		EXAMINER	
GEORGE R. REARDON			RAMIREZ, RAMON O	
3356 STATION COURT LAWRENCVILLE, GA 30044			ART UNIT	PAPER NUMBER
			3632	

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/782,235	LOM ET AL.				
Office Action Summary	Examiner	Art Unit				
	RAMON O. RAMIREZ	3632				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
1) Responsive to communication(s) filed on 19 February 2004.						
,	his action is non-final.					
3) Since this application is in condition for allow						
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4)⊠ Claim(s) <u>1-12</u> is/are pending in the application.						
4a) Of the above claim(s) 12 is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)⊠ Claim(s) <u>1-7 and 11</u> is/are rejected.						
7)⊠ Claim(s) <u>8-10</u> is/are objected to.	• • • • • • • • • • • • • • • • • • • •					
8) Claim(s) are subject to restriction and/or election requirement.						
Application Papers						
9)☐ The specification is objected to by the Examiner.						
10) \boxtimes The drawing(s) filed on <u>19 February 2004</u> is/are: a) \boxtimes accepted or b \bigcirc objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
Coo the attached detailed Chief abital for a field, the defined deplete net received.						
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AM-shareast/s)						
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)						
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB. Paper No(s)/Mail Date <u>2/19/04</u> .	(08) 5) Notice of Informal F 6) Other:	Patent Application (PTO-152)				
1 apoi 110(3)/1960 Date <u>2 13/04</u> .						

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Detailed Action

This is the first Office Action corresponding to original filing. The application contains 12 claims.

Information Disclosure Statement

Receipt is acknowledged of Information Disclosure Statement, filed Feb 19, 2004, which has been reviewed by the Examiner.

Election/Restrictions

During a telephone conversation with George Reardon on December 6, 2005 a provisional election was made without traverse to prosecute the invention of claims 1-11, claim 12 was not elected. Affirmation of this election must be made by applicant in replying to this Office action. Claim 12 is withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 112

Claims 5, 7 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 repeats a limitation already included in claim 4 (the plurality of transparent films) and must be deleted from the claim.

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Claim 11 lacks antecedent for "the computer", "the monitor", "the VELCRO tabs", etc. Further, step c ii and iii makes reference to "option A" and "option B" but said options are not defined in the claim. No art can be applied at the moment to this claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dwyer (Pat No 6,543,167) in view of Flemming (Pat No 6,478,282).

The patent to Dwyer discloses a monitor frame having an opening for viewing the screen of the monitor, and a series of openings (14-1-3) for receiving photographs which are protected therein; said frame being attachable to the monitor.

Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dwyer in view of Flemming as applied to claim 1 above, and further in view of Levy et al.

The patent to Levy et al. discloses another frame attachable to a monitor by means of a hinge (103, Fig 1c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the device set forth above with a hinge means as shown by Levy et al. to facilitate accessing the monitor. The use of VELCRO

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tabs is considered to be an obvious matter of engineering choice since the use of VELCRO fasteners is well known in the art. As to the use of transparent films, note that the patent to Flemming teaches their use.

Allowable Subject Matter

Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 7 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zagnoli (5,564,209), Schwartz (5,638,096), Markarian (5,890,309), Bradford (6,395,125) and Rock (2004/0150943) show other devices of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMON O. RAMIREZ whose telephone number is (571) 272-6821. The examiner can normally be reached on MONDAY-FRIDAY, IST FRIDAY OFF.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor ROBERT OLSZEWSKI can be reached on (571) 272-6788.

The fax phone number for the organization where this application or proceeding is assigned is 571 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A shortened period for response to this Office Action expires THREE MONTHS from the mailing date of this action.

ROR December 6, 2005

RAMON O. RAMIREZ
Primary Examiner
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